AN ACT to Amend Section 1523, of the General Statutes of Florida, in Reference to Evidence Given Upon a Former Traal and Use of Former

# Enacted by the Legislature of the State of

Section 1. That Section 1533, of the General
Statutes of Florida, in reference to use of former
bills of exceptions be, and the same is amended
so as to read as follows, to wit:

CHAPTER 5595— NO 27.

AN ACT to Provide for the Reinstatement on the Docket of the Supreme Court of Any Case Dismissed on Account of a Defective Certificate.

Be it Enacted by the Legislature of the State of Florida:

Section 1. That whenever any case has been taken to the Supreme Court of the State of Florida:

Section 1. That whenever any case has been taken to the Supreme Court of the State of Florida either by appeal in chancer or write of error, and the disable of the same is dismissed from the docket of said Supreme Court of the State of Florida;

Supreme Court of an Account of a Defective Certificate.

Section 1. That whenever any case has been taken to the Supreme Court of the State of Florida;

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Section 1. That whenever any case has been taken to the Supreme Court of the State of Florida;

Section 2. Atting Proceeding Attorneys and Proceeding

Sec. 3. This Act shall take effect intimediately on its approval by the Governor. Approved June 7, 1909.

### CHAPTER 5899--- NO. 30

AN ACT Requiring the Clerk of the Supreme Court of the State of Florida, in All Cases in the Supreme Court Where the Judgment or Decree Shall be Reversed or Modified, and in Which the Supreme Court Writes an Opinion, to Send to the Clerk of the Circuit Court of the County from Which Such Cases are Appealed or Writ of Error Taken, a Correct Copy of Such Opinion of the Supreme Court. the Supreme Court.

## Be it Enacted by the Legislature of the State of

Florida:

Section 1. It shall be the juty of the Clerk of the Supreme Court of the State of Florida, in all cases in the Supreme Court wherein the judgment or decree of the lower court shall be reversed or modified, and in which the judges of the Supreme Court shall write an opinion, to send down along with the mandate of the Supreme Court, to the Clerk of the Circuit Court of the county from which such case is appealed or writ of error taken, a correct copy of the opinion of said Supreme Court. It shall be the duty of the Clerk of the Circuit Court to file such copy in the records and illes of the case. to file such copy in the records and files of the case same to become a part thereof

Sec. 2. This Act shall take effect immediately upon its approval by the Governor Approved June 8, 1909

### CHAPTER 5900- NO. 31 .

AN ACT to Amend Section 1386 of the General Statutes of the State of Florida, as Amended by Chapter 5647, of the Acts of 1907, the Same Being Relative to the Pay of Jumes. Be it Enacted by the Legislature of the State of

Section 1. That Section 1886, of the General Statutes of Florida, as amended by the Acts of the Legislature of 1907 be, and the same is hereby, amended so as to read as follows: Section 1586-Pay of Jurors - Grand and petit

Section 1586—Pay of Jurors.—Grand and petit jurors of the regular panel and jurors summoned to complete a jury after the regular panel is exhausted, in the Circuit Courts Criminal Courts of Record and County Courts, of this State, shall receive for each day of active attendance upon the Court, two dollars (\$2.00). Jurors summoned to the courts aforesaid to complete a jury after the regular panel is exhausted and who are not accepted and not required to serve on the jury shall receive compensation of two dollars (\$2.00) per day and all fractional parts of a day shall be counted as a day; jurors in the courts of County Judges and Justices of the Peace, and jurors summoned upon inquest of the doad shall be paid one dollar (\$1.00) per day for each day they serve on the jury. In addition to the compensation above provided all jurors shall receive five (a) cents per mile forevery mile necessarily traveled in going to and returning from Court by the nearest practicable route. Jurors who attend on any of the days of the term when the Presiding Judge is absent, or being present, does not hold the session of the Court, shall be estitled to receive the same compensation as if the Court were in session.

Sec. 2. That all laws or parts of laws in conflict

Sec. 2. That all laws or parts of laws in conflict ith the provisions of this Act be, and the same are hereby repealed.

Sec. 3. This Act shall become operative upon its passage and approval by the Governor. Approved May 18, 1909

# CHAPTER 3001- NO. 32 ..

AN ACT to Amend Section 1577, Chapter 16, of the General Statutes of the State of Florida. Relating to the Drawing of Junes for the Second and Succeeding Weeks of Circuit Courts.

## Be it Enacted by the Legislature of the State of

Sec. 1. That Section 1877, Chapter 16, of the General Statutes of the State of Florida, relating to the drawing of juries for the second and succeeding weeks of Circuit Courts be, and the same is hereby, amended so as to read as follows:

1577 (1152)-Jury for Second and Succeeding Weeks. —In any counties where the Circuit Court is continued and held for more than one week, the Judge thereof may each week draw, in the manner Judge thereof may each week draw, in the manner prescribed in Section 1875, the names of eighteen (18) persons to serve as petit jurors for the succeeding weeks as long as the said Court shall remain in session. The Judge shall have power to hold any juror over beyond the end of the week for which he was drawn, if such juror is engaged in the trial of a case in which no verdict has been rendered. No person shall be drawn to serve on a set it jury more than once juring the same calent. petit jury more than once during the same calen-

dar year. Sec. 2. All laws and parts of laws in conflict with this Act are hereby repealed.
Sec. 3. This Act shall take effect immediately upon its passage and approval by the Governor.
Approved May 29, 1909

## CHAPTER 5902---(NO. 33).

AN ACT to Amend Section 1492, of the General Statutes of the State of Florida Relating to the Challenge of Jurors.

Be it Enacted by the Legislature of the State of

Section 1. That Section 1492, of the General Statutes of the State of Florida be amended so as to read as follows:

Section 1492. Challenge of Jurors.—Sec. 1.
Peremptory.—On the trial of any civil cause in any court each party shall be entitled to three peremptory challenges of jurors empaneled in said

Sec. 2. For cause. - The Court shall, on motion Sec. 2. For cause.—The Court shall, on motion of each party in any suit, examine on oath any person who is called as a juror therein to know whether he is related to either party, or to the attorney of either party within the third degree or has any interest in the cause, or has expressed or formed any opinion, or is sensible of any bias or prejudice therein; or is an employee or has been an employee of either party to the cause of action within thirty days previous to the trial thereof, and the party objecting to the juror may introduce any other competent evidence in support of

meeted therewith, while said train or coach or vestibules are in passenger service in this State. Provided, however, That nothing in this Act shall be so construed as to prevent the use of liquors be so construed as a medicine in case of actual sickness.

Sec. 2. Any person violating the provisions of Section 1 of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding one hunded dolars are from the county jail not more than six months.

CHAPTER 597—(NO. 28).

The objection: and if it shall appear to the Court that the juror does not stand indifferent to the fallow, and, on conviction, shall be deemed guilty of a close, shall be deemed guilty of a close, shall be in the state of prison or jail whence he cause, if any other within one year, and when the any case, civil or criminal, requires a follows:

CHAPTER 5910—(NO. 41).

Approved June 7, 1999

CHAPTER 5920—(NO. 28).

The objection; and if it shall appear to the Court that the juror does not stand indifferent to the close, and indifferent to the close, and the purison of shall be punished by the state's prison or jail whence he cause, if any other within one years, in the discretion of the Court.

Approved June 7, 1999

CHAPTER 5910—(NO. 41).

AN ACT Providing That in Certain Suits Non-stand the experiment in the county jail not defend on the trial of that cause of challenge for cause if any other within one year, and when the any other within one year, and when the short of the court of the same of the court of th

Sec. 3. This Act shall take effect upon its passage and approval by the Governor.
Approved June 3, 1909

### CHAPTER 5903- NO. 34 .

AN ACT to Provide for the Appointment of Acting Prosecuting Attorneys, and to Provide for the Compensation Thereof

## Be it Enacted by the Legislature of the State of

Statutes of Florida, in reference to use of former bills of exceptions be, and the same is amended so as to read as follows, to-wit:

1523—Use of Former Bills of Exceptions.—In case any judgment at law rendered by any court of the State of Florida shall be reversed and a new trial awarded, and it be made to appear to the satisfaction of the Court that any evidence used at the former trial, whether oral or written, and incorporated in the bill of exceptions, can not be had, then the bill of exceptions taken at the previous trial may be used as evidence upon any subsequent trail of the case, as to any matter in issue at the former trial; Provided. That no evidence given upon a former trial of any case pending in any of the courts of the State of Florida shall be used in evidence upon the trial of any case pending in any of the courts of the State of Florida shall be used in evidence upon the trial of any case pending in any of the courts of the State of Florida shall be used in evidence upon the trial of any case pending in any of the courts of the State of Florida shall be used in evidence upon the trial of any case pending in any of the courts of the State of Florida shall be used in evidence upon the trial of any case pending in any of the courts of the State of Florida shall be used in evidence upon the trial of any case pending in any of the courts of the State of Florida shall be used in evidence upon the trial of any case pending in any of the courts of the State of Florida shall be used in evidence upon the trial of any case pending in any of the courts of the State of Florida shall be used in evidence upon the trial of any case pending in any of the courts of the State of Florida shall be used in evidence upon the trial of any case pending in any of the courts of the State of Florida shall be used in evidence upon the trial of any case pending in any of the courts of the State of Florida shall be used in evidence upon the trial of any case pending in the provice of the Prosecuting Attorney cases or as so

CHAPTER 5916—NO. 35.

AN ACT Pean line is set to Confirmation by the Item of the State of Florida:

Section 1 That from and after the passage of this shall activate in the State of State of the State of State of State of the State of State

cases in which any stock in a corporation, contract obligation, security or evidence of infebted ness, shall be pledged or deposited as security for the payment of any indebtedness, the person or corporation to whom the same may be pledged, hypothecated or transferred, and their assigns, shall have the power to sell the same in such manshall have the power to sell the same to sell the same to sell the same to sell the same to corporation to whom the same may be pledged, hypothecated or transferred, and their assigns, shall have the power to sell the same in such manner and on such terms as may be agreed upon in writing by the parties at the time of making the pledge, and such sale shall vest in the purchaser or purchasers the title in and to said pledges, collaterals or securities. Provided, Ten days notice said sale he given to the party pledging the

Sec. 2. This Act shall go into effect when pas-sed and approved by the (9) vernor. Approved May 29, 1999.

## CHAPTER 3900- NO. 37

AN ACT to Amen't Section 2150, of the General Statutes of the State of Florida, Relating to the Release of Garnishee Upon Application of De-fendant

Be it Enacted by the Legislature of the State of Plorida :

Section 1. That Section 2150, of the General Statutes of the State of Florida relating to the release of sarnishes upon application of the defendant be and the same is hereby, amended so as Section 1. That in all cases, brought in the

feed and the same is hereby, amended so as to read as follows:

2:10—Release of Garnishee Upon Application of Defendant.—If the defendant after the filing of affidavit for garnishment by the plaintiff, shall execute and file in the court a bond to be approved by the Clerk or by the Court if it has no Clerk, payable to the plaintiff in the sum double the amount which the plaintiff states in his affidavit for garnishment that he expects to recover in said suit, with two good and sufficient sureties conditioned to pay to the plaintiff such sum, with interest and cost, as he may recover in the suit, the Court shall enter an order lischarging the garnishee. Or if the garnishee shall admit indebtedness to the defendant in excess of a sum sufficient to satisfy plaintiff's claim, the Court shall, on motion of defendant and notice to the plaintiff, release the garnishee from responsibility to the plaintiff or any indebtedness to the defendant in excess of a sum deemed by the Court sufficient to satisfy the plaintiff's claim, with interest and cost.

Approved June 4, 1929.

### Approved June 4, 1909. CHAPTER 5907- NO. 35

AN ACT to Prescribe the Punishment for Kidnap-ping a Child Under the Age of Fifteen Years, to be Held for a Ransom.

Be it Enacted by the Legislature of the State of

Be it finacted by the Legislature of the State of Florida:

Section 1. Whoever without lawful authority forcibly or secretly confines, imprisons, inveigles or kidnaps any child under the age of fifteen years, with intent to hold such child for a tarsom to be paid for the release of such child, or any person or persons who aids, abets or in any manner assists such person or persons in such imprisoning, confining, inveigling or kidnapping such child under the age of fifteen years, shall be deemed guilty of kidnapping a child under the age of fifteen years and shall be punished by imprisonment in the State Prison for life.

Sec. 2. All laws or parts of laws in conflict with Section 1, of this Act, are hereby repealed.

Approved June 4, 1999.

## CHAPTER 5908- NO. 39 .

AN ACT to Amend Section 624 of the General Statutes of the State of Florida, the Same Be-ing Relative to the Right of Homestead.

Be it Enacted by the Legislature of the State of Florida:

Florida:
Section 1. That Section 524 of the General Statutes of the State of Florida be amended so as to read as follows:
Section 624—Homestead.—Any person being the head of a family or twenty-one years of age, and a citizen of this State, shall be entitled to purchase eighty acres or less quantity of any land of the Internal Improvement Fund donated to the State by the Acr of Congress of September 28th. 1850, for the price of twenty-five cents per acre as provided in the two sections next following: Provided, however, That the provisions or this Section shall not apply to any lands in the Drainage district now created, or which may hereafter be created.

sec. 2. That this Act shall become operative immediately upon its passage and approval by the

## Approved June 5, 1999.

CHAPTER 5909-NO. 401. AN ACT to Make it Unlawful for any Male Person to Have Carnal Intercourse With Any Unmartiel Pemale. Who is at the Time, an Idiot, Lunatic or Imbecile; and to Provide a Penalty for the Violation of This Act.

be it Enacted by the Legislature of the State of Florida:

Section 1. That any male person who has carnal intercourse with an unmarried female, with or without her consent, who is at the time an idiot.

Be it Enacted by the Legislature of the State of Florida:

Section 1. That in any suit for partition of real property situate in this State and in any other suit concerning the title to, possession of, or any interest in any real property situate in this State, in which suit any non-resident infant may have such an interest as to make him a proper party, service of process in such suit may be perfected upon such non-resident infant by publication in the same manner provided by law for perfecting service upon other non-resident defendants to such suits, and upon proof of such service upon such non-resident infant the Court having jurisdiction of the subject matter of the suit may appoint a guabilian ad litem for such non-resident infant, in the same manner provided by law in cases where there has been personal service.

Sec. 2. All laws and parts of laws in conflict

Sec. 2. All laws and parts of laws in conflict crewith are hereby repealed.

Sec. 3. This Act shall take effect immediately pon approval by the Governor.

Approved June 8, 1999

### CHAPTER 5911- NO. 42 .

AN ACT to Amenal Section 1205 of the General Statutes of the State of Plorida, Relating to Rules of Descent as to Real Estate and Person-al Estate

# Be it Enacted by the Legislature of the State of

Florida:
Section 1. That the Juliges of the several courts of the State of Florida, before whom are argued demurrers and motions on any pleading in their several courts shall briefly state in writing which grounds of the demurrer or motion are sustained and which grounds of the demurrer or motion are sustained and which grounds of the demurrer or motion.

re overruled. Sec. 2. This Aut shall go into effect on the first ay of July, 1900, after its passage Approved June 8, 1900.

## CHAPTER 3013 - NO. 44 .

ACT to Provide for Service by Publication Upon Non-Resi lent Parties in Interest in Property Involved in Suits for Specific Performance of Contracts to Convey and for Decrees and Other Proceedings After Such Service

Section 1. That in all cases brought in the hancery side of the courts of this State, for the pacific performance of contracts to convey or exchange real estate, the complainant or complainants, may, where the defendant or defendants are non-residents of the State of Florida obtain service on such non-resident lefendant or detendants, by publication as is provided for in other changery causes

ants, by publication, as is provided for in other chancery causes

Sec. 2. That decrees pro confesso can be entered as in other cases of service by publication. Final decrees entered upon decrees pro confesso when there has been no appearance by such non-resident defendant or defendants in interest shall be conclusive on such parties and persons deriving through them from the date of rendition unless appealed from in due course of law, and for the purpose of carrying out final decrees when such decrees shall provide for the making and executing of deeds and other conveyances, the Court shall, in its decree, appoint a special master to make, execute and deliver such decids and conveyances as are provided for by said decree.

Sec. 3. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 4. This Act shall take effect immediately upon its becoming a law.

Approved June 8, 1999

## CHAPTER 5011- NO. 45

# AN ACT Relating to the Recording of Decrees and Orders in Chancery in This State.

Be it Enacted by the Legislature of the State of

Section 1. That wherever any order or decree in chancery required to be signed by the Judge of the Circuit Court shall have been heretofore entered in the Chancery Order Book instead of upon the minutes of the Court, every such order and decree shall be, and is hereby declared to be, of the same force and effect, from the date of entry in such Chancery Order Book, as if the same had been at such time entered in the minutes of the Court: Provided, however, That nothing herein shall effect creditors or subsequent purchasers for value without notice. lue without notice.
Approved June 8 1999

## CHAPTER 3915- NO. 46 .

AN ACT Amending Sections 2, 1, 5 and 3, of Chapter \$188, Acts of 1905, entitled "An Act Defining the Manner and Causes of Commitment of Minors to the Florida State Reform School, at Marianna, Defining Who Shall be Committed, and for What Time, and Upon What Conditions, Regulating the Discipline, Providing for Proper Management of Said Reform School, and Appropriating Money for Said Institution," Approved June 5, 1905.

Be it Engated by the Legislature of the Sections

### Be it Enacted by the Legislature of the State of Florida: Section 1. That Section 2 of an Act defining the

Section 1. That Section 2 of an Act defining the manner and causes of commitment of minors to the Florida Reform School, at Marianna, defining who shall be committed and for what time and upon what conditions; regulating the discipline, providing for the proper management of said Reform School, and appropriating money for the benefit of said institution approved June 5, 1905, be amended to read as follows:

Sec. 2. When any child under the age of eighteen years shall be sentenced by any court of competent jurisdiction to imprisonment in any county jail, or to the State's prison, it shall be lawful for the Pardoning Board, upon the application of such child, his parents or guardian, or

tion of such child, his parents or guardian, or other persons, to commute the punishment by

Sec. 5. All commitment of children shall be during the time named in the alternative sentence, unless sooner discharged by the Board of Managers as herein provided, and when a child is discharged therefrom at the expiration of his term, it shall be a full and complete release from all penalties and disabilities created by his sentence.

Sec. 4. That Section 3 of said Act be amended to read as follows:

to read as follows:
Sec. 8. A Judge committing a child to the Reform School shall make out and sign a commitment substantially in the following form, which shall be certified by the Clerk under the seal of the

State of Florida.

By it Remembered that on the ... lay of A.D. ro
a resident of said county, was on the complaint of the undersigned Judge of the ... Court, and upon the proof. I to fluid that said is a suitable person to be committed to the Florida Reform School.

Wherefore, it is hereby ordered that the said be, and he is

Be it Enacted by the Legislature of the State of Florida:

AN ACT to Provide for Clerical Aid for the Judge of the Sixth Judicial Circuit, and Fixing the Pay for Same

for Same. Whereas, By reason of the great increase of Whereas, By reason of the great increase of opulation in the counties composing the Sixth adicial Circuit, and the consequent increase of figation, the Judge of said Circuit is doing work which should be divided between at least two County Judge's Courts.

Whereas. Owing to the increased cost of living, e judge cannot afford to pay for clerical work it of his salary, and the udges; and

Section 1. That the Judge of the Sixth Judicial Circuit be allowed the sum of one hundred dollars per month for the purpose of employing clerical aid in the discharge of his duties; said sum to be paid quarterly by the Comptroller upon the requisition of the Judge.

Sec. 2. That there is hereby appropriated a sefficient amount out of any funds in the Treasury to nav said sums.

Sec. 3. That this Act shall take effect immediately upon its; passage and approval by the Gov-

under the sentence of the court as incorrigible upon information of the Board of Managers as hereinafter provided

Sec. 3. That Section s be amended to read as Section 1. The punishment for commission of

Section 1. The punishment for commission of misdemeanors in this State when not otherwise provided by Statute, shall be a fine not exceeding two hundred dollars or imprisonment not exceeding ninety lays, or both at the discretion of the

Sec. 2. This Act shall take effect immediately pon its passage and approval by the Governor.

Approved June 4, 1999.

### CHAPTER 5921- NO. 32

AN ACT to Amend Section 1842 of the General Statutes, State of Florida, Relating to Open Profamity

Be it finacted by the Legislature of the State of

Section I. That Section 3312 faces of the Gan-ral Statutes of the State of Floretz he, and the ame is breely amended to read as follows. Sec. 3512—Offensive Speech.—Whosever, hav-

fane, vulgar and indecent language, in any public place, or upon the private premises of another, or so near thereto as to be heard by another, shall be a punished by fine not exceeding twenty five dollars, or by imprisonment not exceeding twenty five dollars, or by imprisonment not exceed in sixty days, but no procession for any such offense shall be commenced after twenty lays from the commission thereof.

on thereon

Sec. 2. All laws and parts of laws is conflict
ith this Act are hereby repealed.

Sec. 3. This Act shall take effect immediately
con its passage and approval by the diverger.

Approved June 7, 1909.

### CHAPTER 5722 NO. 55 .

AN ACT to Prescribe Rules of Practice in Civil Cases in the Justice of Peace Courts in the State of Florida

Be it Enacted by the Legislature of the State of

Provided. That no commitments shall be void for failure to comply with this gravision.

Another of the Createst Court in and for the Builth Judicial Current of the State of Florida; and to the State of Horida, Relative to the State of Florida; and to the State of Horida, Relative to the State of Florida; and to the State of Horida, Relative to the State of Florida; and to the State of Horida, Relative to the State of Florida, and to the State of Horida, Relative to the State of Florida in the State of Florida in the State of Florida; and the State of Horida, Relative to the State of Florida; and the Sta

A. A. 1. 17 Proceedies the time for shorting the Legislature of the State of Florida.

By it Enacted by the Legislature of the State of Florida.

Section 1. That from an attent the reasonage of the Act is time for holding the terms of the claim to the time of holding the terms of the claim to the time of holding the terms of the claim of the time of holding the terms of the time of holding the terms of the time of holding the terms of the state of the stat

# Approved Jame 3 1909

CHAPTER 5023- NO. 51

Be it Enacted by the Legislature of the State of

the Judge cannot afford to pay for clerical work out of his salary, and the employment of clerical aid would not only relieve him of a large part of his burden, but would enable him to accomplish much more work in the same length of time; therefore.

Be it Enacted by the Legislature of the State of Florida: time he is sentenced to pay the said fine and cost or give the bail for the payment of such fine and or give the bail for the payment of such fine and cost of prosecution as provided in Section 4018 of the General Statutes of the State of Florida, and such persons convicted in the Justice or County Judge's Court, shall not be transferred or turned over to the Convict lesses or other persons working the County prisoners until the expiration of five days from the day such person was sentenced by the court.

by the court.

Sec. 2. That this Act shall become operative upon its passage and approval by the Covernor.

Approved June 3, 1999.